

118TH CONGRESS
2D SESSION

S. 4742

To amend the Federal Water Pollution Control Act to establish the Patrick Leahy Lake Champlain Basin Program Foundation, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 23, 2024

Mr. WELCH (for himself, Mrs. GILLIBRAND, Mr. SANDERS, and Mr. SCHUMER) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend the Federal Water Pollution Control Act to establish the Patrick Leahy Lake Champlain Basin Program Foundation, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Lake Champlain Basin
5 Program Reauthorization Act of 2024”.

6 **SEC. 2. PATRICK LEAHY LAKE CHAMPLAIN BASIN PRO-**
7 **GRAM FOUNDATION.**

8 Section 120 of the Federal Water Pollution Control
9 Act (33 U.S.C. 1270) is amended to read as follows:

1 **“SEC. 120. PATRICK LEAHY LAKE CHAMPLAIN BASIN PRO-**
 2 **GRAM FOUNDATION.**

3 “(a) DEFINITIONS.—In this section:

4 “(1) CHAMPLAIN VALLEY NATIONAL HERITAGE
 5 PARTNERSHIP.—The term ‘Champlain Valley Na-
 6 tional Heritage Partnership’ means the Champlain
 7 Valley National Heritage Partnership established by
 8 section 284(a) of the Champlain Valley National
 9 Heritage Partnership Act of 2006 (54 U.S.C.
 10 320101 note; Public Law 109–338).

11 “(2) EDUCATION AND OUTREACH COM-
 12 MITTEE.—

13 “(A) IN GENERAL.—The term ‘Education
 14 and Outreach Committee’ means a committee
 15 established by the Steering Committee to pro-
 16 vide objective information and funding rec-
 17 ommendations to the Steering Committee upon
 18 request to be used in the decision making proc-
 19 ess of the Steering Committee, including—

20 “(i) funding recommendations relating
 21 to educational and outreach opportunities
 22 and issues; and

23 “(ii) programmatic actions needed to
 24 address those educational or outreach op-
 25 portunities or issues.

1 “(B) TREATMENT OF EXISTING COMMIT-
 2 TEES.—The term ‘Education and Outreach Ad-
 3 visory Committee’ includes a committee de-
 4 scribed in subparagraph (A) established before
 5 the date of enactment of the Lake Champlain
 6 Basin Program Reauthorization Act of 2024.

7 “(3) EXECUTIVE DIRECTOR.—The term ‘Execu-
 8 tive Director’ means the Executive Director of the
 9 Foundation appointed under subsection (c)(5).

10 “(4) FISCAL AGENT.—The term ‘fiscal agent’
 11 means an organization that is responsible for fiscal
 12 and administrative management of the Foundation
 13 under the direction of the Steering Committee, the
 14 Executive Director, and the Administrator.

15 “(5) FOUNDATION.—The term ‘Foundation’
 16 means the Patrick Leahy Lake Champlain Basin
 17 Program Foundation established by subsection
 18 (c)(1)(A).

19 “(6) LAKE CHAMPLAIN BASIN.—The term
 20 ‘Lake Champlain Basin’ means Lake Champlain and
 21 the natural watershed of Lake Champlain, including
 22 all land, streams, rivers, lakes, and other bodies of
 23 water in the United States and Canada that natu-
 24 rally drain into Lake Champlain, including all or a
 25 portion of—

1 “(A) the counties of Clinton, Franklin,
2 Warren, Essex, and Washington in the State of
3 New York; and

4 “(B) the counties of Franklin, Grand Isle,
5 Chittenden, Addison, Rutland, Bennington,
6 Lamoille, Orange, Washington, Orleans, and
7 Caledonia in the State of Vermont.

8 “(7) LAKE CHAMPLAIN CITIZENS ADVISORY
9 COMMITTEE.—

10 “(A) IN GENERAL.—The term ‘Lake
11 Champlain Citizens Advisory Committee’ means
12 a committee in the State of Vermont, the State
13 of New York, and, if the Province of Quebec
14 elects to participate, the Province of Quebec, es-
15 tablished by the Governor or executive officer of
16 the State or province, as applicable, to advise
17 on the protection and restoration of Lake
18 Champlain.

19 “(B) TREATMENT OF EXISTING COMMIT-
20 TEES.—The term ‘Lake Champlain Citizens
21 Advisory Committee’ includes a committee de-
22 scribed in subparagraph (A) established before
23 the date of enactment of the Lake Champlain
24 Basin Program Reauthorization Act of 2024.

1 “(8) PLAN.—The term ‘Plan’ means the com-
2 prehensive pollution prevention, ecosystem protection
3 and restoration, and climate change response plan
4 adopted and published under subsection (d), includ-
5 ing any revisions to that plan.

6 “(9) STEERING COMMITTEE.—The term ‘Steer-
7 ing Committee’ means the Steering Committee es-
8 tablished and maintained under the most recent
9 Memorandum of Understanding on Environmental
10 Cooperation on the Management of Lake Champlain
11 entered into between the State of New York, the
12 State of Vermont, and, if the Province of Quebec
13 elects to participate, the Province of Quebec, as
14 modified pursuant to this section.

15 “(10) TECHNICAL ADVISORY COMMITTEE.—

16 “(A) IN GENERAL.—The term ‘Technical
17 Advisory Committee’ means a committee estab-
18 lished by the Steering Committee to provide ob-
19 jective information and funding recommenda-
20 tions to the Steering Committee upon request
21 to be used in the decisionmaking process of the
22 Steering Committee, including—

23 “(i) funding recommendations relating
24 to technical and scientific management
25 issues; and

1 “(ii) research or actions needed to ad-
 2 dress those technical or scientific manage-
 3 ment issues.

4 “(B) TREATMENT OF EXISTING COMMIT-
 5 TEES.—The term ‘Technical Advisory Com-
 6 mittee’ includes a committee described in sub-
 7 paragraph (A) established before the date of en-
 8 actment of the Lake Champlain Basin Program
 9 Reauthorization Act of 2024.

10 “(b) STEERING COMMITTEE MEMBERSHIP.—

11 “(1) IN GENERAL.—Each of the following shall
 12 be a member of the Steering Committee:

13 “(A) The highest level official (or a des-
 14 ignee of that official) of each of the following:

15 “(i) The State environmental agency
 16 of the State of New York.

17 “(ii) The State environmental agency
 18 of the State of Vermont.

19 “(iii) The Ministry for the Environ-
 20 ment of the Province of Quebec, if that
 21 ministry elects to participate.

22 “(B) A representative of—

23 “(i) the State agriculture agency of
 24 the State of New York;

1 “(ii) the State agriculture agency of
2 the State of Vermont; and

3 “(iii) the Quebec Agricultural Min-
4 istry, if that ministry elects to participate.

5 “(C) The State Historic Preservation Offi-
6 cer (or a designee of that officer) from each of
7 the States of New York and Vermont.

8 “(D) 6 representatives of units of local
9 government entirely within the Lake Champlain
10 Basin, of which—

11 “(i) 2 shall be representatives of units
12 of local government in the State of New
13 York;

14 “(ii) 2 shall be representatives of
15 units of local government in the State of
16 Vermont; and

17 “(iii) 2 shall be representatives of
18 units of local government in the Province
19 of Quebec, if the Province of Quebec elects
20 to send representatives.

21 “(E) The chairperson of—

22 “(i) the Lake Champlain Citizens Ad-
23 visory Committee of the State of New
24 York;

1 “(ii) the Lake Champlain Citizens Ad-
 2 visory Committee of the State of Vermont;
 3 and

4 “(iii) the Lake Champlain Citizens
 5 Advisory Committee of the Province of
 6 Quebec, if the Province of Quebec elects to
 7 participate.

8 “(F) The chairperson of the Technical Ad-
 9 visory Committee.

10 “(G) The chairperson of the Education
 11 and Outreach Committee.

12 “(H) The chairperson of the advisory com-
 13 mittee for the Champlain Valley National Her-
 14 itage Partnership.

15 “(I) A representative from each of—

16 “(i) the Region 1 office of the Envi-
 17 ronmental Protection Agency;

18 “(ii) the Region 2 office of the Envi-
 19 ronmental Protection Agency;

20 “(iii) the Region 5 office of the
 21 United States Fish and Wildlife Service;

22 “(iv) the Natural Resources Conserva-
 23 tion Service New York State office;

24 “(v) the Natural Resources Conserva-
 25 tion Service Vermont State office;

1 “(vi) the National Park Service; and

2 “(vii) the New York District of the
3 Corps of Engineers.

4 “(J) The Director of the Lake Champlain
5 Sea Grant Institute.

6 “(K) A representative of the Great Lakes
7 Fishery Commission.

8 “(L) Such additional members as may be
9 confirmed by the Steering Committee.

10 “(2) CHAIRPERSON.—The position of chair-
11 person of the Steering Committee shall regularly ro-
12 tate among the members of the Steering Committee
13 described in paragraph (1)(A).

14 “(3) RATIFICATION.—Any actions of the Steer-
15 ing Committee taken before the date of enactment of
16 the Lake Champlain Basin Program Reauthorization
17 Act of 2024 are ratified and confirmed.

18 “(c) PATRICK LEAHY LAKE CHAMPLAIN BASIN PRO-
19 GRAM FOUNDATION.—

20 “(1) ESTABLISHMENT.—

21 “(A) IN GENERAL.—There is established a
22 foundation, to be known as the ‘Patrick Leahy
23 Lake Champlain Basin Program Foundation’,
24 as a charitable and nonprofit corporation.

1 “(B) RIGHTS AND OBLIGATIONS.—The
2 Foundation—

3 “(i) shall have perpetual succession;

4 “(ii) may conduct business throughout
5 the Lake Champlain Basin; and

6 “(iii) shall, at all times, maintain a
7 designated agent authorized to accept serv-
8 ice of process for the Foundation.

9 “(C) SERVICE OF PROCESS.—The serving
10 of notice to, or service of process on, the agent
11 required under subparagraph (B)(iii), or mailed
12 to the business address of that agent, shall be
13 deemed as service on or notice to the Founda-
14 tion.

15 “(D) PRINCIPAL OFFICE.—The principal
16 office of the Foundation shall be located in 1 of
17 the following counties:

18 “(i) The county of Franklin, Grand
19 Isle, Chittenden, Addison, Rutland,
20 Bennington, Lamoille, Orange, Wash-
21 ington, Orleans, or Caledonia in the State
22 of Vermont.

23 “(ii) The county of Clinton, Franklin,
24 Warren, Essex, or Washington in the State
25 of New York.

1 “(2) NOT AN AGENCY OR ESTABLISHMENT.—

2 The Foundation shall not be an agency or establish-
3 ment of the United States.

4 “(3) PURPOSES.—The purposes of the Founda-
5 tion are—

6 “(A) to undertake and conduct activities
7 that support—

8 “(i) the implementation and further-
9 ance of the Plan, including work to sup-
10 port the goals, objectives, and strategies
11 identified in the Plan; and

12 “(ii) the purposes of this section;

13 “(B) to accept and manage funds of the
14 Foundation for the implementation of the Plan,
15 including—

16 “(i) amounts made available under
17 subsection (i) for transfer to the Founda-
18 tion;

19 “(ii) amounts given, devised, or be-
20 queathed by private organizations or per-
21 sons; and

22 “(iii) such other amounts as may be
23 made available to the Foundation;

24 “(C) to make grants and subgrants, enter
25 into contracts and cooperative agreements, and

1 administer funds of the Foundation to carry
 2 out activities described in subparagraph (A);

3 “(D) to assist and coordinate efforts
 4 among the Federal Government, the govern-
 5 ment of the State of New York, the government
 6 of the State of Vermont, local governments, and
 7 other partners to adopt and implement the
 8 Plan; and

9 “(E) to participate with, and otherwise as-
 10 sist, Canada and the Province of Quebec in un-
 11 dertaking and conducting activities that further
 12 the work of the Foundation in fulfilling the pur-
 13 poses of this section and implementing the
 14 Plan.

15 “(4) BOARD OF DIRECTORS.—

16 “(A) IN GENERAL.—The Foundation shall
 17 be governed by a Board of Directors (referred
 18 to in this subsection as the ‘Board’), the mem-
 19 bers of which shall be appointed by the Steering
 20 Committee.

21 “(B) DUAL MEMBERSHIP AUTHORIZED.—
 22 Members of the Steering Committee may simul-
 23 taneously serve as members of the Board.

24 “(C) RECUSAL.—Members of the Board,
 25 including members of the Steering Committee

1 in their capacity as members of the Board, may
2 recuse themselves from votes on the Board.

3 “(D) WITHDRAWAL.—Members of the
4 Board, including members of the Steering Com-
5 mittee that serve as members of the Board,
6 may withdraw from membership on the Board.

7 “(E) REMOVAL.—Members appointed to
8 the Board, including members of the Steering
9 Committee that are simultaneously serving as
10 members of the Board, may be removed by the
11 Steering Committee.

12 “(F) NOT FEDERAL EMPLOYEES.—Mem-
13 bership on the Board shall not constitute em-
14 ployment by, or the holding of an office of, the
15 United States for the purpose of any Federal
16 law.

17 “(5) EXECUTIVE DIRECTOR.—The Foundation
18 shall have an Executive Director, who shall—

19 “(A) serve as the chief executive officer of
20 the Foundation; and

21 “(B) be appointed by, and serve at the di-
22 rection of, the Board.

23 “(6) POWERS OF THE FOUNDATION.—

24 “(A) IN GENERAL.—Subject to any condi-
25 tions imposed on the Foundation by the Steer-

1 ing Committee and subject to approval by the
2 Board, the Foundation shall have, in addition
3 to the powers otherwise granted the Foundation
4 under this section, the usual powers of a cor-
5 poration acting as a trustee in the State in
6 which the principal office of the Foundation is
7 located, and may—

8 “(i) receive funds, including funds
9 made available to the Environmental Pro-
10 tection Agency under subsection (i) for
11 transfer to the Foundation;

12 “(ii) accept, receive, hold, administer,
13 and use any gift, devise, or bequest, abso-
14 lutely or in trust, of real or personal prop-
15 erty or any income from that property or
16 other interest;

17 “(iii) deposit any funds provided to
18 the Foundation by the Federal Govern-
19 ment at 1 or more financial institutions
20 that are members of the Federal Deposit
21 Insurance Corporation or the Securities In-
22 vestor Protection Corporation;

23 “(iv) make use of any interest or
24 other income that accrues as a con-
25 sequence of actions taken under clause (iii)

1 or (vi) to carry out the purposes of the
2 Foundation;

3 “(v) use Federal funds to make pay-
4 ments under cooperative agreements en-
5 tered into with willing private landowners
6 to provide substantial long-term benefits
7 for the restoration of fish, wildlife, plants,
8 and other natural resources on private
9 land within the Lake Champlain Basin;

10 “(vi) sell, donate, lease, retain, or oth-
11 erwise dispose of any property or income
12 from that property, unless otherwise re-
13 quired by the instrument of transfer;

14 “(vii) hire and retain staff;

15 “(viii) issue grants and subgrants;

16 “(ix) enter into contracts or other ar-
17 rangements with public agencies and pri-
18 vate organizations and persons;

19 “(x) sue and be sued, and complain
20 and defend itself in any court of competent
21 jurisdiction, except that members of the
22 Board shall not be personally liable, except
23 for gross negligence;

24 “(xi) receive and administer restitu-
25 tion and community service payments,

1 amounts for mitigation of impacts to nat-
 2 ural resources, and other amounts arising
 3 from legal, regulatory, or administrative
 4 proceedings, subject to the condition that
 5 those amounts are received or administered
 6 for purposes that further the implementa-
 7 tion of the Plan or the conservation and
 8 management of fish, wildlife, plants, and
 9 other natural resources within the Lake
 10 Champlain Basin;

11 “(xii) acquire, by purchase or ex-
 12 change, and own real or personal property,
 13 or an interest therein;

14 “(xiii) serve as its own fiscal agent, if
 15 selected to serve as the fiscal agent by the
 16 Administrator, the Executive Director, and
 17 the Steering Committee under subsection
 18 (e); and

19 “(xiv) do any and all acts necessary to
 20 carry out the purposes of the Foundation.

21 “(B) TREATMENT OF REAL PROPERTY.—

22 “(i) IN GENERAL.—For purposes of
 23 this subsection, an interest in real property
 24 shall be treated as including easements or
 25 other rights for preservation, conservation,

1 protection, or enhancement by or for the
 2 public of natural, scenic, historic, scientific,
 3 educational, inspirational, or recreational
 4 resources.

5 “(ii) ENCUMBERED REAL PROP-
 6 ERTY.—A gift, devise, or bequest that is
 7 encumbered, restricted, or subject to bene-
 8 ficial interests of private persons may be
 9 accepted by the Foundation if any current
 10 or future interest in the gift, devise, or be-
 11 quest is for the benefit of the Foundation.

12 “(iii) SAVINGS CLAUSE.—The accept-
 13 ance and administration of amounts by the
 14 Foundation under subparagraph (A)(xi)
 15 does not alter, supersede, or limit any reg-
 16 ulatory or statutory requirement associated
 17 with those amounts.

18 “(7) DISSOLUTION.—

19 “(A) IN GENERAL.—The Administrator
 20 and the Steering Committee may jointly dis-
 21 solve the Foundation.

22 “(B) RETURN OF FUNDS.—If the Adminis-
 23 trator and the Steering Committee jointly dis-
 24 solve the Foundation under subparagraph (A),
 25 during the dissolution process, the Foundation

1 shall return all unobligated or unexpended
 2 funds to each Federal agency that provided
 3 funds to the Foundation in a manner that is
 4 proportional to the amount of funds received
 5 from that Federal agency.

6 “(8) UNITED STATES RELEASE FROM LIABIL-
 7 ITY.—The United States shall not be liable for any
 8 debts, defaults, acts, or omissions of the Foundation,
 9 nor shall the full faith and credit of the United
 10 States extend to any obligation of the Foundation.

11 “(d) POLLUTION PREVENTION, ECOSYSTEM PROTEC-
 12 TION AND RESTORATION, AND CLIMATE CHANGE RE-
 13 SPONSE PLAN.—

14 “(1) ADOPTION.—

15 “(A) IN GENERAL.—The Steering Com-
 16 mittee shall adopt and publish a comprehensive
 17 pollution prevention, ecosystem protection and
 18 restoration, and climate change response plan
 19 for Lake Champlain that protects and benefits
 20 the water quality, fisheries, wetlands, wildlife,
 21 and cultural resources of Lake Champlain and
 22 within the Lake Champlain basin.

23 “(B) PUBLIC ENGAGEMENT.—Prior to the
 24 final adoption and publication of the Plan, the
 25 Administrator, in cooperation with the Steering

1 Committee, shall provide for public review and
 2 comment on the draft Plan, including, at a min-
 3 imum, 1 public meeting in each of the States of
 4 New York and Vermont to hear comments on
 5 the draft Plan.

6 “(C) APPROVAL.—Not earlier than 120
 7 days after the date on which the Plan is pub-
 8 lished under subparagraph (A), the Adminis-
 9 trator shall approve the Plan if—

10 “(i) the Plan meets the requirements
 11 of this subsection; and

12 “(ii) the Governors of the States of
 13 New York and Vermont concur that the
 14 Plan meets the requirements of this sub-
 15 section.

16 “(D) EFFECT OF APPROVAL.—On approval
 17 of the Plan by the Administrator under sub-
 18 paragraph (C), the Plan shall be deemed to
 19 be—

20 “(i) an approved management pro-
 21 gram for purposes of section 319(h); and

22 “(ii) an approved comprehensive con-
 23 servation and management plan pursuant
 24 to section 320.

1 “(E) EFFECT OF PRIOR PLAN.—Any com-
 2 prehensive pollution prevention, control, and
 3 restoration plan approved by the Administrator
 4 and published before the date of enactment of
 5 the Lake Champlain Basin Program Reauthor-
 6 ization Act of 2024 shall remain in effect and
 7 be considered the Plan under this subsection
 8 until the Plan is adopted pursuant to subpara-
 9 graph (A).

10 “(2) INCLUSIONS.—The Plan shall—

11 “(A) include strategies to advance, with re-
 12 spect to Lake Champlain—

13 “(i) clean water;

14 “(ii) healthy ecosystems;

15 “(iii) thriving communities; and

16 “(iv) an informed and involved public
 17 in the Lake Champlain Basin;

18 “(B) identify corrective actions addressing
 19 point and nonpoint sources of pollution that are
 20 necessary to restore and maintain the chemical,
 21 physical, and biological integrity of water qual-
 22 ity, a balanced, indigenous population of shell-
 23 fish, fish, and wildlife, and recreational and eco-
 24 nomic activities in and on Lake Champlain;

25 “(C) identify—

1 “(i) the potential impacts of climate
 2 change on the water quality, ecosystems,
 3 indigenous flora and fauna, recreation, and
 4 economic activities in and on Lake Cham-
 5 plain; and

6 “(ii) strategies to mitigate and pro-
 7 mote resilience against the impacts identi-
 8 fied under clause (i);

9 “(D) include a strategy for pollution pre-
 10 vention and control that includes the promotion
 11 of pollution prevention and management prac-
 12 tices to reduce the amount of pollution gen-
 13 erated in the Lake Champlain Basin;

14 “(E) incorporate environmental manage-
 15 ment concepts and programs in State and Fed-
 16 eral plans and programs in effect during the pe-
 17 riod in which the Plan is developed and adopt-
 18 ed; and

19 “(F) describe the methods and schedules
 20 for the funding of programs, activities, and
 21 projects identified in the Plan, including the use
 22 of Federal funds and other sources of funding.

23 “(3) REVISION.—

24 “(A) IN GENERAL.—The Steering Com-
 25 mittee shall, as necessary but not less fre-

1 frequently than once every 5 years, review, revise,
2 and readopt the Plan.

3 “(B) EFFECT.—A Plan adopted by the
4 Steering Committee shall remain in effect until
5 readopted by the Steering Committee pursuant
6 to subparagraph (A).

7 “(4) USE OF PLAN.—The Plan shall guide the
8 work of the Foundation.

9 “(e) FISCAL AGENT.—

10 “(1) IN GENERAL.—The Steering Committee,
11 the Executive Director, and the Administrator shall
12 jointly select a qualified entity to serve as the fiscal
13 agent of the Foundation, which may include select-
14 ing the Foundation as the fiscal agent of the Foun-
15 dation.

16 “(2) ASSESSMENT.—

17 “(A) IN GENERAL.—Beginning as soon as
18 practicable after the date of enactment of the
19 Lake Champlain Basin Program Reauthoriza-
20 tion Act of 2024, and as necessary but not less
21 frequently than once every 10 years thereafter,
22 the Steering Committee, the Executive Director,
23 and the Administrator shall jointly assess the
24 effectiveness of the fiscal agent and, if appro-

1 priate, select a new qualified entity through a
2 competitive process to serve as the fiscal agent.

3 “(B) NO COMPETITIVE PROCESS.—On se-
4 lection of a fiscal agent, the Administrator may
5 award funding to the fiscal agent without com-
6 petition until such time as a new fiscal agent is
7 selected.

8 “(C) TRANSFER OF FUNDS.—If the Steer-
9 ing Committee, the Executive Director, and the
10 Administrator jointly select a new fiscal agent
11 under subparagraph (A), the qualified entity
12 that had served as fiscal agent shall transfer to
13 the new fiscal agent all unobligated or unex-
14 pended funds awarded to the former fiscal
15 agent under subparagraph (B).

16 “(f) GRANT ASSISTANCE.—

17 “(1) IN GENERAL.—The Administrator, in con-
18 sultation with the Steering Committee and the Exec-
19 utive Director—

20 “(A) shall make grants to the State of
21 New York, the State of Vermont, and the fiscal
22 agent; and

23 “(B) may make grants to State, interstate,
24 and regional water pollution control agencies

1 and public or nonprofit agencies, institutions,
2 and organizations.

3 “(2) PURPOSES.—Grants under this subsection
4 shall be made for assisting the development and im-
5 plementation of the Plan, including research, sur-
6 veys, studies, implementation practices, and mod-
7 eling and technical supporting work.

8 “(3) FEDERAL SHARE.—

9 “(A) IN GENERAL.—Subject to subpara-
10 graph (B), the amount of a grant under para-
11 graph (1) shall not exceed 75 percent of the
12 cost of the work carried out using grant funds.

13 “(B) EXCEPTION.—

14 “(i) IN GENERAL.—The Administrator
15 may, on a case-by-case basis and in con-
16 sultation with the Steering Committee, in-
17 crease the Federal share under subpara-
18 graph (A) to 85 percent of the costs de-
19 scribed in that subparagraph if the recipi-
20 ent of the grant demonstrates an inability
21 to meet the cost-share requirement under
22 that subparagraph.

23 “(ii) REQUIREMENT.—In carrying out
24 clause (i), the Administrator shall be guid-

1 ed by policy adopted by the Steering Com-
2 mittee.

3 “(4) ADMINISTRATION.—The Administrator
4 may establish such requirements for the administra-
5 tion of grants under this subsection as the Adminis-
6 trator determines appropriate.

7 “(g) GREAT LAKES FISHERY COMMISSION.—

8 “(1) IN GENERAL.—The Great Lakes Fishery
9 Commission may undertake, fund, and support work
10 on Lake Champlain, in the Lake Champlain Basin,
11 and other areas within the Saint Lawrence River
12 basin in Vermont, including through—

13 “(A) fisheries and aquatic ecosystem re-
14 search, monitoring, restoration, and manage-
15 ment;

16 “(B) sea lamprey control;

17 “(C) aquatic invasive species prevention
18 and mitigation;

19 “(D) public engagement and education;
20 and

21 “(E) other work to implement the Plan.

22 “(2) AUTHORIZATION.—In carrying out para-
23 graph (1), the Great Lakes Fishery Commission
24 may work with the Foundation, Federal and State
25 agencies, institutions of higher education, nonprofit

1 organizations, units of local government, and Cana-
 2 dian federal and Quebec provincial authorities.

3 “(h) SAVINGS PROVISIONS.—

4 “(1) NO EFFECT ON CERTAIN AUTHORITY.—
 5 Nothing in this section—

6 “(A) affects the jurisdiction or powers of—

7 “(i) any department or agency of the
 8 Federal Government or any State govern-
 9 ment; or

10 “(ii) except as provided in subsection
 11 (g), any international organization or enti-
 12 ty related to Lake Champlain created by
 13 treaty or memorandum to which the
 14 United States is a signatory;

15 “(B) provides new regulatory authority for
 16 the Environmental Protection Agency; or

17 “(C) affects section 304 of the Great
 18 Lakes Critical Programs Act of 1990 (33
 19 U.S.C. 1270 note; Public Law 101–596).

20 “(2) NO EFFECT ON OBLIGATIONS.—Nothing in
 21 this section affects the obligations of Canada, the
 22 Province of Quebec, or any agencies or representa-
 23 tives of Canada or the Province of Quebec ref-
 24 erenced in this section.

25 “(i) AUTHORIZATION OF APPROPRIATIONS.—

1 “(1) IN GENERAL.—There is authorized to be
2 appropriated to the Environmental Protection Agen-
3 cy for each of fiscal years 2025 through 2034
4 \$45,000,000 for transfer to the Foundation, to re-
5 main available until expended.

6 “(2) GRANT ASSISTANCE.—There is authorized
7 to be appropriated to the Environmental Protection
8 Agency to carry out this section \$10,000,000 for
9 each of fiscal years 2025 through 2034, to remain
10 available until expended.”.

○